

September 28, 2017

Heather Janis Gaw
Direct Line: 212-471-8493
hgaw@herzfeld-rubin.com

**Regional Freedom of Information Officer
U.S. EPA, Region 9
75 Hawthorne Street (OPA-2)
San Francisco, CA 94105**

Re: **Bianes v. Volkswagen Group of America, Inc., et al.**
Our File No.: 44H01304

Dear Sir or Madam:

Pursuant to the Freedom of Information Act, the California Public Records Act (Government Code section 6250 and following) and the California Code of Regulations (Title 17, section 91000 and following), I hereby request copies of the following documents, which are filed with, retained by, or prepared by the Environmental Protection Agency (EPA):

1. Records pertaining to the nomination, assessment/inspection, and determination regarding the inclusion of the former Flintkote/Calaveras Cement Company Facility, 2965 Pool Station Road, San Andreas, California to the Superfund National Priorities List (NPL) as defined in the Comprehensive Environmental Remediation, Compensation, and Liabilities Act (CERCLA);
2. Records pertaining to any investigations, evaluations, regulatory or enforcement proceedings, violations, litigation, criminal charges, injunctions, and/or fines issued regarding former Flintkote/Calaveras Cement Company Facility, 2965 Pool Station Road, San Andreas, California from 1968 to date;
3. Records pertaining to permit applications or permits for asbestos or hazardous material removal and/or abatement at the former Flintkote/Calaveras Cement Company Facility, 2965 Pool Station Road, San Andreas, California from 1968 to date;
4. Any and all Title V operating permits, permit applications, public notices, comments, and determinations filed regarding the Flintkote/Calaveras Cement Company Facility, 2965 Pool Station Road, San Andreas, California from 1968 to date;
5. Any and all Prevention of Significant Deterioration (PSD) permits, permit applications, public notices, comments, and determinations filed regarding the Flintkote/Calaveras Cement Company Facility, 2965 Pool Station Road, San Andreas, California from 1968 to date;

AFFILIATES

LIVINGSTON, NEW JERSEY

LOS ANGELES, CALIFORNIA

GARDEN CITY, NEW YORK

BUCHAREST, ROMANIA

YANGON, MYANMAR

6. Any and all Nonattainment NSR permits, permit applications, public notices, and comments filed regarding the Flintkote/Calaveras Cement Company Facility, 2965 Pool Station Road, San Andreas, California from 1968 to date;
7. Any and all Minor NSR permits, permit applications, public notices, and comments filed regarding the Flintkote/Calaveras Cement Company Facility, 2965 Pool Station Road, San Andreas, California from 1968 to date;
8. Any and all Environmental Impact reports or studies filed regarding the Flintkote/Calaveras Cement Company Facility, 2965 Pool Station Road, San Andreas, California from 1968 to date;
9. Any and all Surveillance reports filed regarding the Flintkote/Calaveras Cement Company Facility, 2965 Pool Station Road, San Andreas, California from 1968 to date;
10. Documents regarding any and all air, water, and soil testing, performed within .25 miles of to the former Flintkote/Calaveras Cement Company Facility, 2965 Pool Station Road, San Andreas, California from 1968 to date;
11. Any and all air testing documents, including but not limited to Asbestos, Mercury, NOx, Talc, and Silica, performed within .25 miles of 1155 Mariposa St., Jackson, CA from 1968 to 1969;
12. Any and all air testing documents, including but not limited to Asbestos, Mercury, NOx, Talc, and Silica, performed within .25 miles of 1155 Mariposa St., Jackson, CA from 1968 to 1969;
13. Any and all air testing documents, including but not limited to Asbestos, Mercury, NOx, Talc, and Silica, performed within .25 miles of 1155 Argonaut St., Jackson, CA from 1969 to 1972;
14. Any and all air testing documents, including but not limited to Asbestos, Mercury, NOx, Talc, and Silica, performed within .25 miles of 24 Mill St., Sutter Creek, CA from 1972 to 1973;
15. Any and all air testing documents, including but not limited to Asbestos, Mercury, NOx, Talc, and Silica, performed within .25 miles of N. Harbor Blvd., Fullerton, CA from 1973 to 1974;
16. Any and all air testing documents, including but not limited to Asbestos, Mercury, NOx, Talc, and Silica, performed within .25 miles of 4006 Franklin Ave., Fullerton, CA from 1974 to 1978;
17. Any and all air testing documents, including but not limited to Asbestos, Mercury, NOx, Talc, and Silica, performed within .25 miles of 4343 Morristown Drive, Riverside, CA from 1978 to 1986;
18. Any and all air testing documents, including but not limited to Asbestos, Mercury, NOx, Talc, and Silica, performed within .25 miles of 1911 El Dorado Avenue, La Habra, CA from 1986 to 1987;
19. Any and all air testing documents, including but not limited to Asbestos, Mercury, NOx, Talc, and Silica, performed within .25 miles of 230 Backs Lane, Placencia, CA from 1987 to 1991;

20. Any and all air testing documents, including but not limited to Asbestos, Mercury, NOx, Talc, and Silica, performed within .25 miles of 14221 Fonseca Ave., La Mirada, CA from 1991 to 2011.

If all or any part of this request is denied, please provide me with a written statement of the grounds for the denial. Should you determine that some portions of the requested records are exempt from disclosure, I would appreciate your cooperation in providing me with the portions that can be disclosed.

Please provide an invoice for applicable search and copying fees, if any, by fax to (212) 344-3333, and we will forward a check for such reasonable costs. If you have any follow-up questions, I can be reached at (212) 471-8493. Otherwise, the records may be mailed to the following address:

Herzfeld & Rubin, P.C.
125 Broad Street
New York, NY 10004
ATTN: Heather Janis Gaw

Thank you for your courtesy and cooperation with this matter.

Very truly yours,

/s/ Heather Janis Gaw
Heather Janis Gaw, Esq.